

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND**

LORI DEROBIO,

Plaintiff,

v.

C.A. No. 1:17-CV-00520-JJM-LDA

FAY SERVICING, LLC, and  
CITIBANK, NA, Not In Its Individual  
Capacity But Solely As Trustee Of NRZ Pass-  
Through Trust VI,

Defendants.

**DEFENDANTS' MOTION TO DISSOLVE  
TEMPORARY RESTRAINING ORDER**

Defendants Fay Servicing, LLC and Citibank, NA, Not In Its Individual Capacity But Solely As Trustee Of NRZ Pass-Through Trust VI (collectively "Defendants") hereby move for the Court to dissolve the Temporary Restraining Order ("TRO") that prohibited Defendants from proceeding with the mortgage foreclosure sale that is at issue in this matter. As grounds for this motion, Defendants state that (a) the TRO expired or should be dissolved because Plaintiff did not refile the preliminary injunction motion that was pending in state court; and (b) Plaintiff's request for a TRO or preliminary injunction fails on the merits. In further support of this motion, Defendants submit herewith a Memorandum of Law in Support of Defendants' Motion to Dissolve Temporary Restraining Order.

WHEREFORE, Defendants request that the Court grant this motion and order that the TRO is dissolved.

Respectfully submitted,

FAY SERVICING, LLC, and  
CITIBANK, NA, Not In Its Individual  
Capacity But Solely As Trustee Of NRZ  
Pass-Through Trust VI,

By its attorneys,

/s/ Carl E. Fumarola

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Date: March 16, 2018

**CERTIFICATE OF SERVICE**

I, Carl E. Fumarola, certify that on this 16th day of March, 2018, I filed the foregoing document through the ECF system, thereby serving it electronically to the registered participants as identified on the Notice of Electronic Filing (NEF), and paper copies will be sent to those indicated as non-registered participants on this date. The foregoing document is available for viewing and downloading from the ECF system.

/s/ Carl E. Fumarola

Carl E. Fumarola